

Notice of Agency Rule-making Proposal

AGENCY: Board of Licensure of Architects, Landscape Architects and Interior Designers

RULE TITLE OR SUBJECT: Chapter 2, Rules for Architects, Landscape Architects and Interior Designers

PROPOSED RULE NUMBER: 98-P

(LEAVE BLANK - ASSIGNED BY SECRETARY OF STATE):

CONCISE SUMMARY (UNDERSTANDABLE BY AVERAGE CITIZEN): The board proposed to amend Sections 3 and 7 of this chapter. The proposed rule repeals outdated examination provisions for architect, landscape architect and interior designer applicants. Repeal of these outdated provisions eliminates inconsistencies with standards set by the national testing organizations for each license type. In particular, the amendment of Section 3(F) of this chapter will allow architect applicants five years to pass all sections of the examination, as opposed to the three-year limit presently imposed by that section.

In addition, the proposed rule repeals the fee schedule contained in this chapter. License fees are now established in Chapter 10 of the rules of the Office of Licensing and Registration.

THIS RULE WILL ☐ **WILL NOT** ☒ **HAVE A FISCAL IMPACT ON MUNICIPALITIES.**

STATUTORY AUTHORITY: 32 MRSA §214(1)

PUBLIC HEARING):

(IF ANY, GIVE DATE, TIME, LOCATION)

9:00 a.m., March 29, 2005, Department of Professional and Financial Regulation, 122 Northern Avenue, Gardiner Maine

DEADLINE FOR COMMENTS: April 8, 2005

AGENCY CONTACT PERSON: Carol J. Leighton

AGENCY NAME: Office of Licensing and Registration

ADDRESS: 35 State House Station, Augusta, ME 04333

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Please approve bottom portion of this form and
assign appropriate MFASIS number.

APPROVED FOR PAYMENT _____ DATE: _____
Authorized signature

FUND	AGENCY	ORG	APP	JOB	OBJT	AMOUNT
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02	DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
288	MAINE STATE BOARD FOR LICENSURE OF ARCHITECTS, LANDSCAPE ARCHITECTS AND INTERIOR DESIGNERS
Chapter 2:	RULES FOR ARCHITECTS, LANDSCAPE ARCHITECTS AND INTERIOR DESIGNERS

SUMMARY: This chapter lists requirements for application, examination, licensure/certification and license/certificate renewal applicable to architects, landscape architects and interior designers. This chapter also contains a code of conduct and a schedule of fees.

March 15, 2005 rulemaking hearing

In this rulemaking proceeding, the board proposes to amend Sections 3 and 7 of this chapter. The text of the proposed amendments follows.

02	DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
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SUMMARY: This chapter lists requirements for application, examination, licensure/ certification and license/certificate renewal applicable to architects, landscape architects and interior designers. This chapter also contains a code of conduct and a schedule of fees.

SECTION 3 - APPLICATIONS FOR EXAMINATION AND CERTIFICATION

~~A. Applications for licensure as architect or landscape architect by examination must be made on forms available from the Board. Applications for interior design certification by grandfathering or after passing the NCIDQ examination must be made on forms available from the Board. The application shall be signed and sworn to by the applicant and shall be accompanied by a check or money order made payable to Treasurer - State of Maine" in the amount specified in section 7 of this chapter. Applications for the June examination for architects and landscape architects must be filed by March 1. Applications for the December examination for architects and landscape architects must be filed by October 15. Failure to meet these dates will result in ineligibility to take the examination.~~

B. A. All applicants registering for the architect or landscape architect examination shall be required to appear before the Board for an interview for the purpose of validating candidacy qualifications. The Board shall review representative samples of the work of the applicant and may require subsequent interviews as necessary to determine that the requirements for licensure or certification have been satisfied. The Board shall delay admission to the examination if it finds through the interview or otherwise that the qualifications have not been fully met.

~~All applicants for interior design certification by grandfathering pursuant to section 2(C)(2)(b) of this chapter shall also be required to appear before the Board and present representative samples of their work for the purposes set forth in this subsection. Applicants for interior design certification by grandfathering pursuant to section 2(C)(2)(a) of this chapter need not appear before the Board.~~

All applicants for interior design certification by examination pursuant to section 2(C)(1) of this chapter shall have NCIDQ send to the Board his or her the applicant's NCIDQ file. The file need not include work samples. The Board shall

review the file for compliance with the requirements of section 2(C)(1). The Board may require an applicant to appear for an interview and present representative samples of ~~his or her~~ the applicant's work to determine whether or not the requirements of section 2(C)(1) have been met.

~~C. B.~~ The architect examination shall be that most currently prepared by NCARB or its successor organization or an equivalent examination as specified by the Board. The landscape architect examination shall be that most currently prepared by CLARB or its successor organization or an equivalent examination as specified by the Board. The interior designer examination shall be that most currently prepared by NCIDQ or its successor organization or an equivalent examination as specified by the Board.

~~D. C.~~ The architect and landscape architect examinations shall be administered directly by the Board or by a vendor specified by the Board. Examinations administered directly by the Board will ordinarily be given at the Department of Professional and Financial Regulation, 124 Northern Avenue, Gardiner, ME. The location of each examination shall be determined by the Board.

The interior designer examination shall be administered by NCIDQ or its successor organization. The locations, date and time of each examination shall be determined by NCIDQ.

~~E. D.~~ Grading of the examinations shall be conducted under the management of NCARB, CLARB, NCIDQ and representatives of their member registration boards. Procedures and criteria for grading the examinations, including the determination of passing scores, shall be those established by NCARB, CLARB and NCIDQ, as supplemented by subsection F below.

~~F. E.~~ Applicants may retake failed divisions/sections in subsequent examinations. To pass an examination overall the applicant must achieve passing scores on all divisions/sections within any ~~three~~ five-year examination period

~~SECTION 7 — SCHEDULE OF FEES~~

~~— Fees shall be charged in amounts set by the Board which shall not exceed the following. All fees are nonrefundable.~~

~~Application for licensure of architects and landscape architects by examination: \$125.00.~~

~~Application for licensure or certification by reciprocity: \$200, plus payment of the initial licensing/certification fee.~~

~~Architect or landscape architect examination: The applicant must pay the fee set by the testing company, plus an additional \$30.00 per part payable to the Board. Upon successful completion of the examination, the applicant must pay the initial licensing fee.~~

~~National Council for Interior Design Qualification examination: The applicant must pay the fee set by the testing company. Upon successful completion of the examination, the applicant must pay the initial certification fee to the Board.~~

~~Initial licensing fee and annual renewal fee for architect and landscape architect licenses: \$60.00~~

~~Initial certification fee and biennial renewal fee for interior designer certificate: \$120.00. The fee for original certificates effective for one year or less during the biennial licensing period is \$60.00.~~

~~Penalty for late license or certificate renewal paid within 90 days after date of expiration: The renewal fee plus a late fee of \$10.00.~~

~~Reinstatement of lapsed or suspended license or certificate: \$100.00.~~

(STATUTORY AUTHORITY: 32 M.R.S.A. §214(l))

EFFECTIVE DATE:

June 5, 1985

AMENDED:

April 29, 1992

July 16, 1994

EFFECTIVE DATE (ELECTRONIC CONVERSION):

January 11, 1997

PROOFED AND CORRECTED:

April, 2002 (lw)